

**DELTA PROTECTION COMMISSION**

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February 10, 1995

*Simao/McGowan*

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Proposed Resolution of Adoption of the Revised Draft  
Land Use and Resource Management Plan for the Primary  
Zone of the Delta

Purpose of the Draft Resolution

Attached for Commission consideration and possible adoption is a draft resolution of adoption of the Revised Draft Land Use and Resource Management Plan for the Primary Zone of the Delta.

The resolution indicates the Commission staff and the Commission have met the requirements set forth in the Delta Protection Act.

Staff Recommendation

Staff recommends the Commission discuss and then adopt the attached draft resolution adopting the plan, as amended by the staff report dated February 10, 1995, and any further amendments made at the meeting of February 23, 1995.

The resolution shall be adopted with a roll call vote.

Requirements of the Act

The Act requires:

- \* Formation of the Commission.
- \* Monthly meetings of the Commission in the Delta.
- \* Appointment of three citizens advisory committees to assist the Commission.
- \* Preparation of a long-term resource management plan for land uses in the primary zone of the Delta, including a map and text, in compliance with Chapter 5 (Sections 29760 - 29766) of the Delta Protection Act.

- \* At least three public hearings in the north, south, and west areas of the Delta.
- \* Review by the Director of the Governor's Office of Planning and Research prior to adoption.
- \* Compliance with the California Environmental Quality Act.

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DRAFT

RESOLUTION NO. 95-2

WHEREAS, Public Resources Code Section 29735 creates the Delta Protection Commission consisting of 19 members including: one member of each of the five counties within the delta whose supervisorial district is within the primary zone; three elected city council members from regional and area councils of government; one member from the board of directors of five different reclamation districts which are located in the primary zone who are residents of the delta; the Director of Parks and Recreation or the director's designee; the Director of Food and Agriculture or the director's designee; the Director of Fish and Game or the director's designee; the executive officer of the State Lands Commission or the executive officer's designee; the Director of Boating and Waterways or the director's designee; and the Director of Water Resources or the director's designee; and

WHEREAS, the commission held its first meeting on January 29, 1993, and has met at least monthly since that date and each meeting has been held in a city within the delta; and

WHEREAS, the Commission appointed agricultural, environmental, and recreational advisory committees for the purpose of providing the commission with timely comments, advice, and information; and

WHEREAS, the commission staff and consultants prepared nine background reports to serve as a basis for the resource management plan for land uses within the primary zone of the delta; and

WHEREAS, the three advisory committees reviewed the background reports and the draft plan and presented comments, advice, and information which has been incorporated into the plan; and

WHEREAS, the Commission received and held public hearings on the nine background reports prepared as part of the planning process; and

WHEREAS, Public Resources Code Section 29760 states "the commission shall prepare and adopt, by a majority vote of the membership of the commission, and thereafter review and maintain, a comprehensive long-term resource management plan for land uses within the primary zone of the delta"; and

WHEREAS, Public Resources Code Section 29760 states "the regional plan shall consist of the map of the primary zone and text setting forth a description of the needs and goals for the delta and a statement of the policies, standards, and elements of the regional plan"; and

WHEREAS, Public Resources Code Section 29760 states "the regional plan shall meet the following requirements:

Protect and preserve the cultural values and economic vitality that reflect the history, natural heritage, and human resources of the delta;

Conserve and protect the quality of renewable resources;

Preserve and protect agricultural viability;

Restore, improve, and manage levee systems by promoting strategies, including, but not limited to, methods and procedures which advance the adoption and implementation of coordinated and uniform standards among governmental agencies for the maintenance, repair, and construction of both public and private levees;

Preserve and protect delta dependent fisheries and their habitat;

Preserve and protect riparian and wetlands habitat, and promote and encourage a net increase in both the acreage and values of those resources on public lands and through voluntary cooperative arrangements with private land owners;

Preserve and protect the water quality of the delta, both for instream purposes and for human use and consumption;

Preserve and protect open-space and outdoor recreational opportunities;

Preserve and protect private property interests from trespassing and vandalism;

Preserve and protect opportunities for controlled public access and use of public lands and waterways consistent with the protection of natural resources and private property interests;

Preserve, protect, and maintain navigation;

Protect the delta from any development that results in any significant loss of habitat or agricultural land;

Promote strategies for the funding, acquisition, and maintenance of voluntary cooperative arrangements, such as conservation easements, between property owners and conservation groups that protect wildlife habitat and agricultural land, while not impairing the integrity of levees;

Permit water reservoir and habitat development that is compatible with other uses"; and

WHEREAS, the commission held four public hearings on the draft plan in July and August of 1994 in the north, south, east and west delta: Walnut Grove, Sacramento County; Stockton, San Joaquin County; Antioch, Contra Costa County; and Tracy, San Joaquin County; and

WHEREAS, the commission held additional public hearings in August, September, October, November, and December of 1994 to address the comments submitted on the draft plan; and

WHEREAS, as directed in Section 29761, the Director of the Office of Planning and Research has submitted comments and recommendations on the resource management plan for the commission's consideration prior to adoption of the Plan; and

WHEREAS, the Commission has reviewed and considered the environmental information contained in the "Environmental Analysis Document for Proposed Land Use and Resource Management Plan for the Primary Zone of the Delta" prepared by the Commission under, and has fully complied with the requirements of, 14 C.C.R. § 20015-20021 regarding its obligations regarding its resource management plan under the California Environmental Quality Act as a certified regulatory program; and

WHEREAS, the adoption of the plan would be consistent with the findings and declaration of policy contained in the Delta Protection Act because the plan would "protect, maintain, and, where possible, enhance and restore the overall quality of the delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities"; will "assure orderly, balanced conservation and development of delta land resources"; and will "improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety";

NOW THEREFORE BE IT RESOLVED THAT, the Delta Protection Commission hereby adopts a comprehensive long-term resource management plan for land uses within the primary zone of the delta entitled "Land Use and Resource Management Plan for the Primary Zone of the Delta" which consists of:

- A. The map of the primary and secondary zones of the delta adopted by the Legislature and on file in the Secretary of State's office, entitled "Delta Protection Act of 1992 Map of Zones Sacramento-San Joaquin Delta" and dated October 15, 1992, a copy of which is included in the resource management plan for land uses;
- B. The text contained in the "Revised Draft Land Use and Resource Management Plan for the Primary Zone of the Delta", dated December 1994; and
- C. The changes to the text outlined in the staff report dated February 10, 1995, and any thereto made by the Commission at the meeting of February 23, 1995, and reflected in the record of that meeting.